

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DEUTSCHE BANK TRUST COMPANY :
AMERICAS, in its capacity as successor :
indenture trustee for certain series of Senior :
Notes, *et al.*, :
Plaintiffs, : No. 11 Civ. 4784 (RJH)
vs. :
ADALY OPPORTUNITY FUND TD :
SECURITIES INC. C/O ADALY :
INVESTMENT MANAGEMENT CO., *et al.*, :
Defendants. :
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**NOTICE OF PLAINTIFFS' MOTION TO EXTEND TIME FOR SERVICE
OF SUMMONS AND COMPLAINT ON CERTAIN DEFENDANTS**

PLEASE TAKE NOTICE that, upon the Declaration of David M. Zensky [Dkt. #247] and the Memorandum of Law [Dkt. #248], both filed in this action on September 26, 2011, in Support of Plaintiffs' Motion to Extend Time for Service of Summons and Complaint (copies of which were previously served on all defendants in the action), and upon all prior pleadings and proceedings in this action,

Plaintiffs, through their undersigned counsel, will move before the United States District Court for the Southern District of New York, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, at a date and time to be set by the Court, pursuant to Fed. R. Civ. P. 4(m) and 6(b)(1)(A), for an order extending the deadline for service on the defendants listed in the following paragraph of the summons and amended complaint in this action (as the amended complaint may be further amended from time to time, subject to and in accordance with Fed. R. Civ. P. 15 and 21), and the time period referenced in Fed. R. Civ. P. 15(c)(1)(C) with respect to those defendants, by six months, through and including May 9, 2012, and granting

such other and further relief as the Court deems just and proper. This action was removed to federal court on July 12, 2011, and the 120-day Fed. R. Civ. P. 4(m) and 15(c)(1)(C) periods therefore have not yet expired.

This motion seeks the same relief sought in the extension motion filed in this action on September 26, 2011 for the same reasons set forth in the supporting Declaration and Memorandum of Law filed therewith, but seeks this relief solely with respect to defendants Bell Atlantic Master Trust; Blackport Capital Fund Ltd.; Citadel Equity Fund Ltd./ Leeds Mgmt Svcs (Cayman) Ltd. c/o Citadel Investment Group LLC; Citi Goldentree Ltd. c/o Goldentree Asset Management LP; Commerz Markets LLC; Condor c/o Robeco Inst Asset Mgmt BV c/o Robeco Investment Management; Dresdner Bank AG c/o Commerzbank AG; Drawbridge Global Macro Master Fund, Ltd.—K; Dreyfus Index Funds, Inc.; Dreyfus/Laurel Funds Inc.; Dreyfus Stock Index Funds, Inc.; Dreyfus S&P 500 St Indx Fd; Flexible US Equity Managers, Portfolio 1 Offshore Master Fund LP LSV c/o GS&Co; FolksAmerica Reinsurance Company; Goldentree Master Fund, Ltd. c/o Goldentree Asset Management LP; Goldentree Master Fund II, Ltd.; Goldentree Multistrategy Offshore Fund c/o Goldentree Asset Management LP; Homeland Insurance Company of New York c/o One Beacon Insurance Co.; LaBranche & Co. LLC; LaBranche Structured Products LLC; Mergers Invmt Trd; Michael Loeb; Loeb Arbitrage Management LP; Manufacturers & Traders Trust Co.; NYLIM-QS Large-Cap Enhanced Fund LP; Neuberger Berman Inc.; Nomura Securities International, Inc.; Nomura Securities International, Inc.—Stock Lending; Pacific Select; Spear Leeds & Kellogg; Stichting Pensioenfonds ABP c/o ABP Investments US Inc.; Stichting Pensioenfonds Hoogovens; Stichting Pensioenfonds Océ c/o ABP Investments US Inc.; Stichting Pensioenfonds Zorg c/o ABP Investments US Inc.; Strategic Funds, Inc.; University of Toronto c/o The Blackstone

Group LP; U of T Master Trust c/o The Blackstone Group LP; White Mountains Re Bermuda Ltd.; and White Mountains Reinsurance Company of America, which defendants were not included within the scope of the September 26, 2011 motion.

Pursuant to Local Civil Rule 6.1(b)(2), any opposing affidavits and answering memoranda shall be served upon the undersigned within fourteen days after service of these moving papers, which are being served upon you by first-class mail on this 29th of September, 2011, and any reply affidavits and reply memoranda shall be served within seven days after service of the answering papers. In computing periods of days, refer to Federal Rule of Civil Procedure 6 and Local Civil Rule 6.4.

Dated: New York, New York
September 29, 2011

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Attorneys for Plaintiffs, solely with respect to claims asserted against Defendants:

Bell Atlantic Master Trust; Blackport Capital Fund Ltd.; Citadel Equity Fund Ltd./Leeds Mgmt Svcs (Cayman) Ltd. c/o Citadel Investment Group LLC; Citi Goldentree Ltd. c/o Goldentree Asset Management LP; Commerz Markets LLC; Condor c/o Robeco Inst Asset Mgmt BV c/o Robeco Investment Management; Dresdner Bank AG c/o Commerzbank AG; Drawbridge Global Macro Master Fund, Ltd.—K; Dreyfus Index Funds, Inc.; Dreyfus/Laurel Funds Inc.; Dreyfus Stock Index

Funds, Inc.; Dreyfus S&P 500 St Indx Fd; Flexible US Equity Managers, Portfolio 1 Offshore Master Fund LP LSV c/o GS&Co; FolksAmerica Reinsurance Company; Goldentree Master Fund, Ltd. c/o Goldentree Asset Management LP; Goldentree Master Fund II, Ltd.; Goldentree Multistrategy Offshore Fund c/o Goldentree Asset Management LP; Homeland Insurance Company of New York c/o One Beacon Insurance Co.; LaBranche & Co. LLC; LaBranche Structured Products LLC; Mergers Invmt Trd; Michael Loeb; Loeb Arbitrage Management LP; Manufacturers & Traders Trust Co.; NYLIM-QS Large-Cap Enhanced Fund LP; Neuberger Berman Inc.; Nomura Securities International, Inc.; Nomura Securities International, Inc.—Stock Lending; Pacific Select; Spear Leeds & Kellogg; Stichting Pensioenfonds ABP c/o ABP Investments US Inc.; Stichting Pensioenfonds Hoogovens; Stichting Pensioenfonds Océ c/o ABP Investments US Inc.; Stichting Pensioenfonds Zorg c/o ABP Investments US Inc.; Strategic Funds, Inc.; University of Toronto c/o The Blackstone Group LP; U of T Master Trust c/o The Blackstone Group LP; White Mountains Re Bermuda Ltd.; and White Mountains Reinsurance Company of America

TO: All defendants